

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the claims to more particularly point out that Applicant's claimed access units are used to update multimedia descriptions. No new matter has been added as a result of these amendments. Furthermore, no new issues are raised because various dependent claims recited multimedia descriptions.

Objections

Objections to the Drawings under 37 C.F.R. § 1.121(d)

The Examiner objected to the drawings because "the sheet label Figure 4 is not shown." Applicant assumes the Examiner means that he does not see the Figure 4 label, not that Figure 4 is missing. Applicant respectfully draws the Examiner's attention to drawing sheet number 3, which illustrates Figure 3 on the left and Figure 4 on the right, with a line separating them. The right-hand figure is identified as Figure 4 midway down on the right-hand side of drawing sheet 3. Accordingly, Applicant respectfully requests the withdrawal of the objection to the drawings.

Rejections

Rejections under 35 U.S.C. § 102(e)

Claims 1-5, 7-35, 37-65 and 67-90

Claims 1-5, 7-35, 37-65 and 67-90 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,751,623 to Basso et al. Applicant does not admit that Basso is prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant respectfully submits that Applicant's invention as claimed in claims 1-5, 7-35, 37-65 and 67-90 is not anticipated by Basso.

Basso discloses the access units that contain audio-visual data, such as a video frame or an audio sample [Basso: col. 5, lines 49-44]. Basso further discloses that multiple access units are combined into segments to represent the audio-visual data.

In contrast, Applicant's claimed access units are used to update multimedia descriptions. As well known in the art, the description of multimedia content is not the same as the multimedia content itself. While Basso discloses using metadata to describe the audio-video data, Basso does not teach or suggest that his access units can be used to update the metadata

Accordingly, Applicant respectfully submits that the invention claims in claims 1-5, 7-35, 37-65 and 67-90 is not anticipated by Basso under 35 U.S.C. § 102(e) and respectfully requests the withdrawal of the rejection of the claims.

Rejections under 35 U.S.C. § 103

Claims 6, 36, and 66

Claims 6, 36 and 66 stand rejected under 35 U.S.C. § 103(a) as being obvious over Basso, in view of U.S. Patent 6,549,922 to Srivastava et al. and W3C press release of November 16, 1999. Srivastava qualifies as prior art only under 35 U.S.C. § 102(e) because it issued after Applicant's filing date. Applicant does not admit that Srivastava is prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant respectfully submits that the combination does not teach each and every element of the invention as claimed in claims 6, 36 and 66.

Srivastava discloses extracting metadata into a set of annotations and formatting the sets in a standardized form, such as XML. The W3C press release announces XML Path Language (XPath) as a World Wide Web Consortium Recommendation.

Claims 6, 36 and 66 depending from independent claims 1, 31 and 61, respectively. Because Basso does not disclose the use of access units to update multimedia descriptions as claimed, either Srivastava or the W3C press release must do so to have a proper *prima facie* case of obviousness for claims 6, 36 and 66. However, neither Srivastava nor the W3C press release teach or suggest access units as claimed

Therefore, the combination of Basso, Srivastava and the W3C press release cannot render obvious Applicant's invention as claimed in claims 6, 26 and 66, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

SUMMARY

Claims 1-90 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.

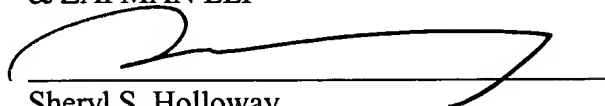
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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